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10/582,216	06/08/2006	Yasuo Nakata	064766-0016	2917
53080                      7590                      07/10/2008 MCDERMOTT WILL & EMERY LLP 600 13TH STREET, NW WASHINGTON, DC 20005-3096				
EXAMINER				
CHU, KIM KWOK				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/582,216

**Applicant(s)**

NAKATA ET AL.

**Examiner**

KIM CHU

**Art Unit**

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Pre-Amendment filed on 6/8/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7 and 8 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

***Drawing Objection***

1. Figures 16 and 17(a)-17(e) should be designated by a legend such as --Prior Art-- because the illustrations are conventional as admitted by Applicant in the Brief Description of the Drawings, page 3, section 0035 in the specification.

***Specification***

2. The disclosure is objected to because of the following informalities:

(a) in the abstract, line 8, the term "a back light system" is objected because it does not read right.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(a) in Claim 1, lines 2 and 3, the term "user blocks in the packet and/or link blocks" is not clear because the terms "user blocks" and "link blocks" are not defined. In other words, user blocks can be considered as link blocks unless they are clarified in the Claims;

(b) similarly, in Claims 7 and 8, the terms "user blocks" and "link blocks" are not clear and needed to be clarified;

(c) in Claim 1, line 7, the term "desired user blocks" is not clear because the term "desired" is not defined. For example, a desired user blocks can be interpreted as a string of error free user data, a stack of cache user data or a group of user data under one file name etc. Applicant should clarify what are the characteristics of the claimed desired user blocks;

(d) similarly, in Claim 7, line 6 and Claim 8, line 8, the terms "desired user blocks" are not clear because the terms "desired" are not defined. Applicant should clarify what are the characteristics of the claimed desired user blocks;

(e) in Claim 1, last 3 lines, the claim language is not complete and therefore it is not clear. For example, the link block "which are previously written in into the buffer" has no indication or relationship to the address pointer means and whether it is being judged or not;

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(f) similarly, in Claims 7 and 8, the claimed "user block judging means" has no relation on the data being stored in a buffer or under format conversion; and

(g) in Claim 5, line 7, the term "a re-search of a block" is not clear because the limitation "re-search" is not defined.

The claims not specifically mentioned above are indefinite based upon their dependence of the indefinite Claims.

#### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-5, 7 and 8 are rejected under 35 U.S.C. § 102(b) as being anticipated by Fang et al. (U.S. Patent 6,539,518). Fang teaches a signal processing circuit having all of the elements and means as recited in claims 1-5. For example, Fang teaches the following:

(a) with respect to Claim 1, the signal processing circuit 200 (Figs. 2 and 5; abstract; lines 1-5) comprising: data reading out means 208 (Fig. 5; column 5, lines 14-16) for

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reading out data comprising user blocks 325-328 (Fig. 3A) in the packet and/or link blocks in the connection blocks (Fig. 3A; packet and link blocks are a group of user blocks; column 5, lines 39-45); a buffer 211 (Fig. 5) for successively storing data which are read out (Fig. 5; column 5, lines 39-45); user block judging means 212 (Fig. 5) for judging as to whether the read out data are desired user blocks or not (Fig. 5; column 8, lines 1-16); address pointer generating means 204 (Fig. 5; column 6, lines 29-58) for generating an address pointer on the basis of the judgment result from the user block judging means 212 (Fig. 5; user blocks are verified first and then indexed by providing addresses); and system control means 202 (Fig. 5) for controlling to maintain (manage) the position of the address pointer at a position in the buffer 211 where the link block (data) is written in prior (Fig. 5; prior data written in the buffer memory are maintained/managed) and to overwrite the data which were read out this time onto the data of link block which are previously written in into the buffer (Fig. 5; inherent buffer management where read out data is overwritten).

(b) with respect to Claim 2, there is provided block ID detecting means 601 which detects the block ID while successively reading out the data (Figs. 5 and 6; column 11, lines 60-66).

(c) with respect to Claim 3, there is provided continuity judging means which defines continuity of blocks on the basis of the block ID (Fig. 6; block 602 indicates ID error detecting operation).

(d) with respect to Claim 4, the user block judging means compares the link block ID under being read out and the top block ID, thereby to judge that the block under being read out is a link block until the top block ID of the user block is detected, or compares the user block under being read out and the top block ID of the link block, thereby to judge that the block under being read out is a user block until the top block ID of the link block is detected (Fig. 6; user blocks/link blocks are indexed/addressed with respect to the first address in the memory buffer).

(e) with respect to Claim 5, the system control means 202 conducts, when it is detected that the block ID is a link block ID in the same connection block or a top block of a desired user block ID when the discontinuity of the block ID is detected by the continuity judging means (error ID is detected), a control such that a re-search of a block is not conducted but the reading out of the data conducted as it is (Fig. 6; inherent feature where the error ID and its data are read in order to determine whether an error is occurred).

7. Claims 7 and 8 have limitations similar to those treated in the above rejection, and are met by the reference as discussed above. Claim 8 however also recites the following limitation "distinction information which can distinguish whether the data read out as above is user block or a link block on the basis of the judgment result by the user block judging means" which is also taught by the prior art of Fang (Figs. 5 and 6; distinction information such as error data blocks can be distinguished).

***Allowable Subject Matter***

8. Claim 6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

9. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

As in claim 6, the prior art of record fails to teach or fairly suggest a signal processor having the following features:

(a) the system control means judges the direction of discontinuity of the block ID by comparing the block ID and the block ID immediately before that when the discontinuity of the block ID is detected by the discontinuity judging means, and it



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is controlled that when the position of the data reading out position has moved to the direction coming close to a desired user block, re-search of a block is not conducted, while when the reading out position of data has moved to the direction different from that coming close to the desired position, or when the block ID and the block ID immediate before the block ID are identical to each other, the re-search of the block is conducted.

The features indicated above, in combination with the other elements of the claims, are not anticipated by, nor made obvious over, the prior art of record.

#### ***Related Prior Art***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takeuchi (5,721,856) is pertinent because Takeuchi teaches a data packet recording system having an ID detective means.

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11. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kim CHU whose telephone number is (571) 272-7585 between 9:30 am to 6:00 pm, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen, can be reached on (571) 272-7579.

The fax number for the organization where this application or proceeding is assigned is (571) 273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished application is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9191 (toll free).

/Kim-Kwok CHU/

Examiner AU2627

July 5, 2008

(571) 272-7585

/HOA T NGUYEN/

Supervisory Patent Examiner, Art Unit 2627

